

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NORMAN S. GLASGOW,

Petitioner,

vs.

JEAN ANN JACKSON,

Respondent.

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Case No. 4:08CV716 JCH

ORDER

This matter is before the Court on Missouri state prisoner Norman S. Glasgow's action pursuant to 28 U.S.C. § 2254. The background of Petitioner's case is as follows: On May 16, 2008, Petitioner filed a pro se petition for writ of habeas corpus under 28 U.S.C. § 2254 in the United States District Court for the Western District of Missouri, alleging eight grounds for relief. (ECF No. 1). The case was transferred to this Court, and assigned to United States Magistrate Judge Terry I. Adelman. (ECF No. 4). When a request was received for random reassignment to a District Judge, the case was reassigned to United States District Judge Donald J. Stohr, who referred the action to United States Magistrate Judge Thomas C. Mummert, III, for report and recommendation on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1). (ECF Nos. 13, 18). On January 5, 2011, the case was transferred to the undersigned. (ECF No. 19). The referral to Magistrate Judge Mummert remained in place.

On July 29, 2011, Magistrate Judge Mummert filed a Report and Recommendation of United States Magistrate Judge, which recommended that Glasgow's petition for writ of habeas corpus be dismissed as untimely. (ECF No. 21). Neither party has filed objections to the Report and Recommendation.

Following de novo review, this Court concurs in the recommendation of the Magistrate Judge.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of United States Magistrate Judge (ECF No. 21) is **SUSTAINED, ADOPTED and INCORPORATED** herein.

IT IS FURTHER ORDERED that Petitioner's Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (ECF No. 1) is **DENIED**, and his claims are **DISMISSED** with prejudice. A separate Order of Dismissal will accompany this Memorandum and Order.

IT IS FURTHER ORDERED that because Petitioner cannot make a substantial showing of the denial of a constitutional right, the Court will not issue a certificate of appealability. See Cox v. Norris, 133 F.3d 565, 569 (8th Cir. 1997), cert. denied, 525 U.S. 834 (1998).

Dated this 25th day of August, 2011.

/s/Jean C. Hamilton

UNITED STATES DISTRICT JUDGE